From: "Williston, Debra" <Debra.Williston@kingcounty.gov>
To: Region10 <Region10@epa.gov>
Date: 3/22/2021 1:33:00 PM
Subject: Proposed Explanation of Significant Differences Draft for Public Comment Issued in January 2021 for Lower Duwamish Waterway Record of Decision
Attachments: ATT00001.txt

The Lower Duwamish Waterway Group offers the following comments on the Explanation of Significant Differences for proposed changes to the Record of Decision for the Lower Duwamish Waterway (LDW) Superfund Site. We support the U.S. Environmental Protection Agency's proposed changes issued on January 2021 for carcinogenic polycyclic aromatic hydrocarbon (cPAH) cleanup levels and remedial action levels based on the final Toxicological Review of Benzo(a)pyrene issued on January 19, 2017. These changes set cleanup levels to achieve the same risk levels supported by the current science regarding toxicity of benzo(a)pyrene and associated cPAHs. We do have a few clarifying comments on the document as presented below.

Please let us know if you have any questions regarding our comments. We are committed to continue the progress on the cleanup of the LDW for the benefit of our communities and the environment.

Specific comments

Section 2.3.3, 2nd paragraph: The human health risk based threshold concentrations (RBTCs) were not used as preliminary remediation goals in the Feasibility Study for remedial action objective 1 (seafood consumption) for total PCBs and dioxin/furan TEQ and for remedial action objective 2 (direct contact) for arsenic. The preliminary remediation goals for these three contaminants and associated remedial action objectives were based on Puget Sound natural background values. The remaining preliminary remediation goals were based on RBTCs as noted in the paragraph. Please clarify text here regarding basis of preliminary remediation goals as noted above.

Section 5.1.1, last paragraph: The Feasibility Study estimated the site-wide average cPAH concentration of 360 µg/kg dw TEQ (or benzo(a)pyrene equivalents) following completion of Early Action Area cleanups. See Table 9-2a in *LDW Feasibility Study* and Table 9 in *LDW Technical Memorandum: Supplement to the Feasibility Study for the LDW Superfund Site, Approaches for Addressing Additional Concerns in Alternative 5C and Development of Alternative 5C Plus Scenarios*. Please clarify text here regarding site-wide average concentrations following Early Action Area cleanups.

Table 1: The RAO 4 (Ecological for River Otter) PCB cleanup level should be 128 µg/kg dw per the Record of Decision.

Section 6, last paragraph: The use of clam TTL for cPAHs as described is confusing. It is our understanding the reduction in cPAH concentrations in clams will be measured based on LDW clam tissue data collected following remediation as compared to LDW clam tissue data presented in the Remedial Investigation (Windward 2010) and Baseline Studies (Windward 2020). Per the Record of Decision, "Target tissue concentrations are not cleanup levels; they will be used for informational purposes to assess ongoing risks to people who may consume resident LDW fish and shellfish." Please clarify language in this section to indicate reductions in cPAH concentrations in clams will be assessed by comparing LDW clam tissue data collected before and after remediation.

Section 11: The citations of four documents are not complete and authors are not consistent with how cited in other documents. Please update here and within document text:

- Windward. 2007. Lower Duwamish Waterway remedial investigation. Appendix B: Baseline human health risk assessment. Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA. for submittal to U.S. Environmental Protection Agency and Washington State Department of Ecology.
- Windward. 2009. Lower Duwamish Waterway remedial investigation. Baseline human health risk assessment Errata: Adjustment to Tulalip Tribes Seafood Consumption Rates and the Impact On Risk Estimates. Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA for submittal to U.S. Environmental Protection Agency and Washington State Department of Ecology.
- AECOM 2012. Lower Duwamish Waterway Feasibility Study. Prepared for the Lower Duwamish Waterway Group by AECOM, Seattle, WA for submittal to the U.S. Environmental Protection Agency and the Washington State Department of Ecology.
- Windward 2020. Lower Duwamish Waterway Pre-Design Studies Data Evaluation Report (Task 6). Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA for submittal to U.S. Environmental

Protection Agency.

Appendix A: the citations are not complete and have errors for the LDW Human Health Risk Assessment and Errata (note authors are inconsistent with other document citations and years are in error). Please update here and within appendix text:

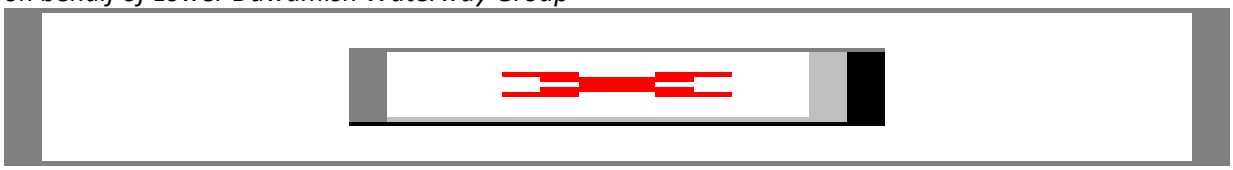
- Windward. 2007. Lower Duwamish Waterway remedial investigation. Appendix B: Baseline human health risk assessment. Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA. for submittal to U.S. Environmental Protection Agency and Washington State Department of Ecology.
- Windward. 2009. Lower Duwamish Waterway remedial investigation. Baseline human health risk assessment Errata: Adjustment to Tulalip Tribes Seafood Consumption Rates and the Impact On Risk Estimates. Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA for submittal to U.S. Environmental Protection Agency and Washington State Department of Ecology.

Appendix B: the citations (other than Record of Decision) are not complete and the authors are not consistent with how cited in other documents. Please update here and within appendix text.

- Windward. 2010. Lower Duwamish Waterway remedial investigation. Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA for submittal to U.S. Environmental Protection Agency and Washington State Department of Ecology.
- AECOM 2012. Lower Duwamish Waterway Feasibility Study. Prepared for the Lower Duwamish Waterway Group by AECOM, Seattle, WA for submittal to the U.S. Environmental Protection Agency and the Washington State Department of Ecology.
- Windward 2019. Technical Memorandum: Implications of Updated Toxicity Values for Benzo(a)pyrene. Prepared for Lower Duwamish Waterway Group by Windward Environmental LLC, Seattle, WA for submittal to U.S. Environmental Protection Agency.

Sincerely,

Debra Williston
on behalf of Lower Duwamish Waterway Group



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